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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,850	02/16/2005	William Yu	14231NP	8677
293	7590	10/02/2006	EXAMINER	
Ralph A. Dowell of DOWELL & DOWELL P.C. 2111 Eisenhower Ave Suite 406 Alexandria, VA 22314			HINES, ANNE M	
			ART UNIT	PAPER NUMBER
			2879	

DATE MAILED: 10/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	10/500,850	YU, WILLIAM	
	Examiner	Art Unit	
	Anne M. Hines	2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☒ Claim(s) 1 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

The amendment filed on July 19, 2006, has been entered and acknowledged by the Examiner.

Claims 1-8 are pending in the instant application.

Claim Objections

Claim 1 is objected to because of the following informalities: In claim 1, the following phrase appears: "and a passage which unobstructed passage which passes." This appears to be a typographical error. The Examiner has treated the claim on its merits assuming the above phrase reads: "and an unobstructed passage which passes." Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Hoeh (US 4319162).

Regarding claim 1, Hoeh discloses an eccentric fluorescent tube comprising an outer tubular portion that extends in a first plane substantially about a center point (Figs. 1-2: 18, 19, 20; Column 4, lines 19-20) and from which extend two inner portions that are spaced on opposite sides of the center point (Figs. 1-2: 16, 22; Column 4, line 20), said two inner tubular portions extending from a first peripheral side of said outer tubular portion to ends that are positioned proximate an opposing second peripheral side of said outer tubular portion (Figs. 1-2: 19, 16, 22), a leg member connected between said ends of said inner tubular portions for supplying power to said outer and said two inner tubular portions (Figs. 1-2: 24, 25, 31, 33, 30; Column 5, lines 42-43), and an unobstructed passage which passes through the center point between said first peripheral side and said opposing second peripheral side (Figs. 1-2: unobstructed passage between 16, 22).

Regarding claim 2, Hoeh further discloses wherein said leg member is mounted on a tubular segment of said outer tubular portion located at said opposing second periphery side by a fixing member (Figs. 1-2: 28, 29; Column 5, line 47), and power supplying pins protruding from said leg member which are electrically connected to filaments at both of said ends of said two inner tubular portions (Figs. 1-2: 26, 27; Column 5, line 5).

Regarding claim 3, Hoeh further discloses wherein said leg member includes a first part mounted to said opposing second periphery side of said outer tubular portion

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(Figs. 1-2: 28, 29; Column 5, line 47) and a second part that is installed at a central part of said two inner tubular portions (Figs. 1-2: 24, 25, 31, 33, 30; Column 5, lines 42-43) and power supplying pins extending from said second part that are connected to filaments at said ends of said two inner tubular portions (Figs. 1-2: 26, 27; Column 5, line 5).

Claims 1, 5, 7, and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawamura (US 4283217).

Regarding claim 1, Kawamura discloses an eccentric fluorescent tube comprising an outer tubular portion that extends in a first plane substantially about a center point and from which extend two inner portions that are spaced on opposite sides of the center point, said two inner tubular portions extending from a first peripheral side of said outer tubular portion to ends that are positioned proximate an opposing second peripheral side of said outer tubular portion (Fig. 1e; Column 5, lines 55-57), a leg member connected between said ends of said inner tubular portions for supplying power to said outer and said two inner tubular portions (Figs. 16-18; Column 7, lines 1-11), and an unobstructed passage which passes through the center point between said first peripheral side and said opposing second peripheral side (Fig. 1e).

Regarding claim 5, Kawamura further discloses wherein said two inner tubular portions are disposed in a second plane that is different than said first plane of said outer tubular portion (Fig. 20).

Regarding claim 7, Kawamura further discloses wherein the two inner tubular portions are generally parallel with respect to each other (Fig. 1e).

Regarding claim 8, Kawamura discloses an eccentric fluorescent tube including an outer tubular portion that extends in a first plane substantially about a center point and from which extend two inner portions that extend inwardly of the outer tubular portion (Fig. 1e; Column 5, lines 55-57) and wherein the two inner tubular portions include ends electrically connected to a leg member which supplies power to the outer and said two inner tubular portions (Figs. 16-18; Column 7, lines 1-11), the improvement comprising the two inner tubular portions extending on opposite sides of the center point from a first peripheral side of the outer tubular portion to the ends that are positioned proximate an opposing second peripheral side of the outer tubular portion (Fig. 1e), the leg member being connected between the ends of said inner tubular portions proximate said opposing second peripheral side (Figs. 16-18) whereby an unobstructed passage is created between the two inner tubular portions which passage passes through the center point between said first peripheral side and said opposing second peripheral side (Fig. 1e).

Claims 1 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Tökés et al. (US 6630779).

Regarding claim 1, Tökés discloses an eccentric fluorescent tube comprising an outer tubular portion that extends in a first plane substantially about a center point (Fig. 1, 14 & 16 outside 24; Column 2, lines 61-64) and from which extend two inner portions

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that are spaced on opposite sides of the center point (Fig. 1, 14 & 16 within 24), said two inner tubular portions extending from a first peripheral side of said outer tubular portion to ends that are positioned proximate an opposing second peripheral side of said outer tubular portion (Fig. 1), a leg member connected between said ends of said inner tubular portions for supplying power to said outer and said two inner tubular portions (Fig. 1, 22; Column 3, lines 32-40), and an unobstructed passage which passes through the center point between said first peripheral side and said opposing second peripheral side (Fig. 1, unobstructed space extending to center of 24 between inner portions of 14 & 16).

Regarding claim 6, Tökés further discloses wherein the outer tubular portion and the two inner tubular portions are coplanar (Abstract).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hoeh (US 4319162) in view of Yan (US 6531824).

Regarding claim 4, Hoeh teaches the invention of claim 2, but fails to teach wherein the eccentric fluorescent tube comprises an adapter member.

In the same field of endeavor of fluorescent tube lighting, Yan teaches an adapter member with an adapter body (Fig. 2A, 20; Column 6, line 27) and adapter arm (Fig. 2A, 40; Column 6, lines 28-29) located in a central part between the two pairs of pins of a fluorescent tube (Fig. 3, 35; Column 6, lines 46-49), the adapter arm extending from the adapter body and being electrically connected to the power supplying pins of the leg member and second power supplying pins extending from the adapter body (Fig. 2A, 50; Column 6, lines 22-33) such that the second power supply pins of the adapter body are electrically connected to the power supply pins of the leg member (The Examiner considers this inherent to the function of the adapter as a power supply adapter) in order to allow fluorescent light tubes to be replaced without dismantling the light fixture (Column 1, lines 7-15).

Therefore, it would have been obvious to one of ordinary skill in the art to modify the fluorescent tube of Hoeh to have the adapter member of Yan in order to allow the fluorescent tube to be replaced without dismantling the light fixture that it is installed in.

Response to Arguments

Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne M. Hines whose telephone number is (571) 272-2285. The examiner can normally be reached on Monday through Friday from 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anne M Hines
Patent Examiner
Art Unit 2879

AmH 9/26/06

ms
MARICELI SANTIAGO
PRIMARY EXAMINER